

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF IOWA
DAVENPORT DIVISION

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

SCOTT RYAN DEMUTH)

Defendant.)

No. 3:09-cr-0117-JAJ

ADDITIONAL MOTION IN LIMINE

Now comes the defendant, Scott Demuth, by his undersigned counsel and respectfully moves that this Court issue an Order precluding the prosecution in the above-entitled cause from using the word "Terrorism" and the trial of the above entitled cause.

In support of this motion the defendant states the following:

1. He is charged under the 2002 version 18 U.S.C 43(a), commonly referred to as the Animal Enterprise Protect Act.
2. In November 27, 2006, 18 U.S.C was amended to create the Animal Enterprise Terrorism Act. 120 Stat 2652.
3. The defendant is not charged under the Animal Enterprise Terrorism Act. (See Government's response to Motion to Dismiss Second Superseding Indictment pp.5-6)
4. The highly prejudicial word, "terrorism" has no place in the trial of this case. It has no probative value other than to create prejudice and fear in the minds of the jurors.

Wherefore the defendant seeks an Order in limine prohibiting the prosecution from using the word "terrorism" in the trial of this case.

Respectfully submitted,

Dated: August 5, 2010

/s/ Michael E. Deutsch
Michael E. Deutsch
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To: Clifford R. Cronk III
U.S. Attorney's Office

Please take notice that, counsel for Scott DeMuth electronically filed on August 5, 2010, Additional Motion in Limine.

/s/ Michael E. Deutsch
Michael E. Deutsch